



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Martial Deruelle et al.) Group Art Unit: 1712
Application No.: 10/780,679) Examiner: KUO LIANG PENG
Filed: February 19, 2004) Confirmation No.: 2008
For: TEXTILE COATING FORMULATIONS)
COMPRISING CROSSLINKABLE)
LIQUID SILICONES, MENTAL)
ALKOXIDES AND FUNCTIONAL)
COREACTANTS)

RESPONSE TO REQUIREMENT FOR ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Requirement for Election mailed January 25, 2006,
Applicants hereby elect, with traverse, the invention of Group II, Claims 13-16 and
Claims 18-19 directed to a textile substrate, a method for imparting softness,
hydrophobicity, oleophobicity, hydrophilicity or anti-static properties to a textile
substrate and a method for the treatment of a textile substrate. For at least the
reasons that follow, reconsideration and withdrawal of the Requirement is in order.

For proper restriction between patentably distinct inventions; 1) the inventions
must be independent or distinct as claimed; and 2) there must be a serious burden
on the Examiner if restriction is not required. (Emphasis added.) See M.P.E.P. §
803.

In the present application, search and examination of the inventions of Groups
I and II would be substantially coextensive. The claims of Group I are directed to
crosslinkable liquid silicone composition suited for the long-lasting protective and/or

application coating/treatment of a textile substrate. The claims of Group II are directed to a textile substrate coated with the composition of Group I, a method for imparting various properties to a textile substrate using the composition of Group I and methods for treating a textile substrate using the composition of Group I. Thus, it is highly likely that the results of a search of the claims of Group II, which necessarily include all of the features of the composition of Group I, would produce references that disclose both methods of using crosslinkable liquid silicone compositions and the compositions themselves. Thus, search and examination of the subject matter of Group II would likely encompass a search for the subject matter of the Group I, and any additional search would not impose a serious burden.

It is therefore respectfully asserted that the search and examination of the entire application could be made without serious burden. In particular, M.P.E.P. § 803 states that "if the search and examination of an entire application can be made, without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or into independent inventions."

For at least these reasons, and in order to avoid unnecessary delay and expense to Applicants, and duplicative examination by the Patent Office, it is respectfully requested that the Requirement for Election be reconsidered and withdrawn.

If there are any questions concerning this Response, or the application in general, Applicants invite the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: MARCH 24, 2006

By: 

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